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Attorneys for Plaintiffs  
WI-LAN USA, INC. and WI-LAN, INC.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
SAN DIEGO DIVISION**

WI-LAN USA, INC. and WI-LAN, INC.

Plaintiffs,

v.

APPLE INC.

Defendant.

Case No. 3:13-cv-798-DMS  
(BLM)

**JOINT MOTION TO STAY  
PRETRIAL SCHEDULE**

Department: 13A  
Hon. Dana M. Sabraw  
Hon. Barbara L. Major

Complaint Filed: December 6,  
2012

McKool Smith, P.C.  
New York, NY

1 Plaintiffs Wi-LAN USA, Inc. and Wi-LAN Inc. (collectively, “Wi-LAN”), and  
2 Defendant Apple Inc. (“Apple”), hereby jointly move the Court for a stay of  
3 remaining pretrial deadlines in light of the Court’s Order of September 30, 2014.  
4 (ECF No. 278.)

5 On September 15, 2014, the Court adjusted the original deadlines stated in the  
6 Amended Case Management Conference Order Regulating Discovery and Other  
7 Pretrial Proceedings dated May 31, 2013 (ECF No. 73) by its Order Granting Joint  
8 Motion to Modify the Pretrial Schedule (ECF No. 218). Pursuant to the Court’s Order  
9 Granting Joint Motion to Modify the Pretrial Schedule, the last day for Wi-LAN to  
10 serve its portion of the Final Pretrial Conference Order was moved from  
11 September 22, 2014 to October 3, 2014. Pursuant to the same order, the last day to  
12 lodge final pretrial conference order, including written objections, if any, to Rule  
13 26(a)(3) pretrial disclosures and a statement to be read to the jury, not in excess of one  
14 page, of the nature of the case and claims and defenses was reset from  
15 September 26, 2014 to October 10, 2014.

16 In view of the Court’s September 30, 2014 Order Granting Defendant’s Motion  
17 for Summary Judgment of Noninfringement (ECF No. 278.), the parties have met and  
18 conferred and believe a stay of these remaining pretrial deadlines is appropriate and  
19 warranted.

McKool Smith, P.C.  
NEW YORK, NY

1 DATED: October 3, 2014

PATTERSON LAW GROUP, APC  
MCKOOL SMITH, P.C.

2  
3 By: /s/ Dirk D. Thomas  
4 Dirk D. Thomas  
5 *Attorneys for Plaintiffs*  
6 *WI-LAN USA, Inc. and WI-LAN INC.*

7  
8 DATED: October 3, 2014

MILBANK, TWEED, HADLEY &  
McCLOY LLP

9  
10 By: /s/ Mark C. Scarsi  
11 Mark C. Scarsi  
12 *Attorney for Defendant Apple Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 3, 2014, a true and correct copy of the foregoing document was filed through the Court's CM/ECF system, and was served through that system under FRCP 5(b)(2)(E) on all counsel who are deemed to have consented to electronic service.

By: /s/ Dirk D. Thomas

*Attorney for Plaintiffs*  
*WI-LAN USA, INC. and WI-LAN INC.*

McKool Smith, P.C.  
NEW YORK, NY